



UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB00-838-A (228/213))

PATENT

IN THE APPLICATION OF:

Eckstein *et al.*

Serial No. 08/936,657

Filed: September 24, 1997

Title MODIFIED RIBOZYMES

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)  
) Examiner: Schultz, James

) Group Art Unit: 1635

) Confirmation No.:

**RESPONSE TO REMAND TO THE EXAMINER**  
**MAILED SEPTEMBER 30, 2003**

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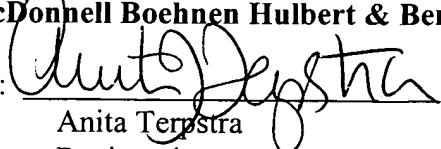
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Applicants submit herewith the attached terminal disclaimer over U.S. Patent No. 5,817,635 to place the application in condition for allowance.

In view of the "Remand to the Examiner" for Appeal No. 2002-1165 issued by the Board of Patent Appeals and Interferences on September 30, 2003, Applicants submit herewith a terminal disclaimer over U.S. Patent No. 5,817,635. In a teleconference between Examiner Schultz and Anita Terpstra, which took place on January 8, 2004, Examiner Schultz indicated that submission of a terminal disclaimer over U.S. Patent No. 5,817,635 would place the pending claims 44-57 in condition for allowance. Accordingly, with this submission, allowance of the instant application is respectfully requested.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

By:   
Anita Terpstra  
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Date: January 15, 2004

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